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3-30-1992

# Fines And Bail.

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Office of the Secretary of State  
March Fong Eu

1230 J Street  
Sacramento, California 95814

ELECTIONS DIVISION  
(916) 445-0820

For Hearing and Speech Impaired  
Only:  
(800) 833-8683

September 10, 1992

TO: ALL COUNTY CLERKS/REGISTRARS OF VOTERS AND PROPONENT  
(92234)  
FROM: Cathy Mitchell  
CATHY MITCHELL  
INITIATIVE COORDINATOR

Pursuant to Elections Code section 3520(b), you are hereby notified that the total number of signatures to the hereinafter named proposed INITIATIVE STATUTE filed with all county elections officials is less than 100 percent of the number of qualified voters required to find the petition sufficient; therefore, the petition has failed.

TITLE: FINES AND BAIL.  
INITIATIVE STATUTE.

SUMMARY DATE: March 30, 1992

PROPONENT: Norman Bedford

CM/cm



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#578

March 30, 1992

TO ALL REGISTRARS OF VOTERS, OR COUNTY CLERKS, AND PROPONENT (92101)

Pursuant to Section 3513 of the Elections Code, we transmit herewith a copy of the Title and Summary prepared by the Attorney General on a proposed Initiative Measure entitled:

**FINES AND BAIL.  
INITIATIVE STATUTE.**

Circulating and Filing Schedule

1. Minimum number of signatures required ..... 384,974  
Cal. Const., Art. II, Sec. 8(b).
2. Official Summary Date ..... Monday, 03/30/92  
Elec. C., Sec. 3513.
3. Petition Sections:
  - a. First day Proponent can circulate Sections for  
signatures ..... Monday, 03/30/92  
Elec. C., Sec. 3513.
  - b. Last day Proponent can circulate and file with  
the county. All sections are to be filed at  
the same time within each county ..... Thursday, 08/27/92  
Elec. C., Secs. 3513, 3520(a)
  - c. Last day for county to determine total number of  
signatures affixed to petition and to transmit total  
to the Secretary of State ..... Thursday, 09/10/92

(If the Proponent files the petition with the county on a date prior to 08/27/92, the county has eight working days from the filing of the petition to determine the total number of signatures affixed to the petition and to transmit the total to the Secretary of State.) Elec. C., Sec. 3520(b).

- d. Secretary of State determines whether the total number of signatures filed with all county clerks meets the minimum number of required signatures, and notifies the counties ..... Saturday, 09/19/92\*
- e. Last day for county to determine total number of qualified voters who signed the petition, and to transmit certificate with a blank copy of the petition to the Secretary of State ..... Monday, 11/02/92
- (If the Secretary of State notifies the county to determine the number of qualified voters who signed the petition on a date other than 09/19/92, the last day is no later than the thirtieth day after the county's receipt of notification.)  
Elec. C., Sec. 3520(d), (e).
- f. If the signature count is more than 423,472 or less than 365,726, then the Secretary of State certifies the petition has qualified or failed, and notifies the counties. If the signature count is between 365,726 and 423,472 inclusive, then the Secretary of State notifies the counties using the random sampling technique to determine the validity of all signatures .... Thursday, 11/12/92\*
- g. Last day for county to determine actual number of all qualified voters who signed the petition, and to transmit certificate with a blank copy of the petition to the Secretary of State ..... Monday, 12/28/92
- (If the Secretary of State notifies the county to determine the number of qualified voters who have signed the petition on a date other than 11/12/92, the last day is no later than the thirtieth working day after county's receipt of notification.)  
Elec. C., Sec. 3521(b), (c).
- h. Secretary of State certifies whether the petition has been signed by the number of qualified voters required to declare the petition sufficient ..... Friday, 01/01/93\*

\* Date varies based on receipt of county certification.

4. The Proponent of the above-named measure is:

Norman Bedford  
6801 West Dry Creek Road  
Healdsburg, CA 95448

5. Important Points:

- (a) California law prohibits the use of signatures, names and addresses gathered on initiative petitions for any purpose other than to qualify the initiative measure for the ballot. This means that the petitions cannot be used to create or add to mailing lists or similar lists for any purpose, including fund raising or requests for support. Any such misuse constitutes a crime under California law. Elections Code section 29770; *Bilofsky v. Deukmejian* (1981) 123 Cal.App. 3d 825, 177 Cal.Rptr. 621; 63 Ops. Cal.Atty.Gen. 37 (1980).
- (b) Please refer to Elections Code sections 41, 41.5, 44, 3501, 3507, 3508, 3517, and 3519 for appropriate format and type consideration in printing, typing, and otherwise preparing your initiative petition for circulation and signatures. Please send a copy of the petition after you have it printed. This copy is not for our review or approval, but to supplement our file.
- (c) Your attention is directed to the campaign disclosure requirements of the Political Reform Act of 1974, Government Code section 81000 et seq.
- (d) When writing or calling state or county elections officials, provide the official title of the initiative which was prepared by the Attorney General. Use of this title will assist elections officials in referencing the proper file.
- (e) When a petition is presented to the county elections official for filing by someone other than the proponent, the required authorization shall include the name or names of the persons filing the petition.
- (f) When filing the petition with the county elections official, please provide a blank petition for elections official use.

**NOTE TO PROPONENTS WHO WISH TO QUALIFY FOR THE NOVEMBER 3, 1992 GENERAL ELECTION:** This initiative must be certified for the ballot 131 days before the election (June 25, 1992). Please remember to time your submissions accordingly. For example, in order to allow the maximum time permitted by law for the random sample verification process, it is suggested that proponents file their petitions to county elections officials by April 17, 1992. If a 100% check of signatures is necessary, it is advised that the petitions be filed by February 23, 1992.

Sincerely,



CATHY MITCHELL  
INITIATIVE COORDINATOR

Attachment: POLITICAL REFORM ACT OF 1974 REQUIREMENTS

Date: March 30, 1992  
File No.: SA 92 RF 0010

The Attorney General of California has prepared the following title and summary of the chief purpose and points of the proposed measure:

**FINES AND BAIL. INITIATIVE STATUTE.** Prohibits the imposition of a fine or forfeiture of bail without a determination of the ability of the person to pay. Any fine imposed or bail forfeited shall be adjusted proportionately based upon the individual's ability to pay. Summary of estimate by Legislative Analyst and Director of Finance of fiscal impact on state and local governments: Measure could result in tens of millions of dollars in annual costs to state and local government in determining the ability of millions of defendants to pay fines or forfeit bail. The measure would also result in unknown annual revenue losses, potentially in the millions of dollars, to the state and local governments from the imposition of lower bail and fine amounts.

DANIEL E. LUNGREN  
Attorney General

State of California  
DEPARTMENT OF JUSTICE



1515 K STREET, SUITE 511  
P.O. BOX 944255  
SACRAMENTO, CA 94244-2550  
(916) 445-9555

(916) 324-5490

March 30, 1992

Honorable March Fong Eu  
Secretary of State  
1230 J Street  
Sacramento, CA 95814

**FILED**  
in the office of the Secretary of State  
of the State of California

MAR 30 1992

MARCH FONG EU, Secretary of State

By CB Mitchell  
Deputy

RE: Initiative Title and Summary  
Subject: FINES AND BAIL. INITIATIVE STATUTE.  
Our File No.: SA 92 RF 0010

Dear Mrs. Eu:

Pursuant to the provisions of sections 3503 and 3513 of the Elections Code, you are hereby notified that on this day we mailed to the proponent of the above-identified proposed initiative our title and summary.

Enclosed is a copy of our transmittal letter to the proponent, a copy of our title and summary, a declaration of mailing thereof, and a copy of the proposed measure.

According to information available in our records, the name and address of the proponent is as stated on the declaration of mailing.

Sincerely,

DANIEL E. LUNGREN  
Attorney General

KATHY DaROSA  
Senior Legal Analyst

KD:lac  
Encls.

SA92RF0010

February 5, 1992

Norman J. Bedford  
6801 W. Dry Creek Road  
Healdsburg, CA 95448

Dan Lundgren  
Attorney General  
1515 K Street, Suite 511  
Sacramento, CA 95814

We are submitting the following draft and request title and summary of the proposed measure (§§3501,3503). Please find our check in the amount of \$200.00 enclosed.

NO BAIL SHALL BE FORFEITED OR FINE IMPOSED UNTIL A REASONABLE DETERMINATION OF THE PERSON'S ABILITY TO PAY HAS BEEN MADE. BAIL FORFEITED OR FINES IMPOSED SHALL BE ADJUSTED PROPORTIONATELY.

Sincerely,

  
Norman Bedford

RECEIVED  
FEB 18 1992

INITIATIVE COORDINATOR  
ATTORNEY GENERAL'S OFFICE



DANIEL E. LUNGREN  
Attorney General

State of California  
DEPARTMENT OF JUSTICE



1515 K STREET, SUITE 511  
P.O. BOX 944255  
SACRAMENTO, CA 94244-2550  
(916) 445-9555

(916) 324-5490

March 30, 1992

NORMAN BEDFORD  
6801 W. Dry Creek Road  
Healdsburg, CA 95448

RE: Initiative Title and Summary  
Subject: FINES AND BAIL. INITIATIVE STATUTE.  
Our File No. SA 92 RF 0010

Dear Proponent:

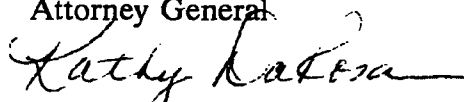
Pursuant to your request, we have prepared the attached title and summary of the chief purposes and points of the above-identified proposed initiative. A copy of our letter to the Secretary of State, as required by Elections Code sections 3503 and 3513, our declaration of mailing, and the text of your proposal that was considered is attached.

The Secretary of State will be sending you shortly a copy of the circulating and filing schedule for your proposal that will be issued by that office.

Please send us a copy of the petition after you have it printed. This copy is not for our review or approval, but to supplement our file in this matter.

Sincerely,

DANIEL E. LUNGREN  
Attorney General

  
KATHY DaROSA  
Senior Legal Analyst

KD:lac  
Encls.

## DECLARATION OF MAILING

The undersigned Declarant states as follows:

I am over the age of 18 years and not a proponent of the within matter; my place of employment and business address is 1515 K Street, Suite 511, Sacramento, California 95814.

On the date shown below, I mailed a copy or copies of the attached letter to the proponents, by placing a true copy thereof in an envelope addressed to the proponents named below at the addresses indicated, and by sealing and depositing said envelope or envelopes in the United States mail at Sacramento, California, with postage prepaid. There is delivery service by United States mail at each of the places so addressed, or there is regular communication by mail between the place of mailing and each of the places so addressed.

Date of Mailing: March 30, 1992

Subject: FINES AND BAIL. INITIATIVE STATUTE.

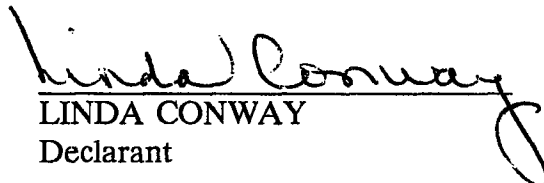
Our File No.: SA 92 RF 0010

Name of Proponent and Address:

NAME NORMAN BEDFORD  
ADDRESS 6801 W. Dry Creek Road  
Healdsburg, CA 95448

I declare under penalty of perjury that the foregoing is true and correct.

Executed at Sacramento, California, on: March 30, 1992.

  
LINDA CONWAY  
Declarant